
Changes to legislation: Pensions Act (Northern Ireland) 2015, Paragraph 25 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 13

ABOLITION OF CONTRACTING- OUT FOR SALARY RELATED SCHEMES

PART 1

PENSION SCHEMES (NORTHERN IRELAND) ACT 1993: AMENDMENTS

25 After section 33 insert—

“33A Transfer of liabilities etc.: schemes contracted-out on or after 6 April 1997

- (1) Regulations may prohibit or restrict—
- (a) the transfer of any liability—
 - (i) for the payment of pensions under a relevant scheme, or
 - (ii) in respect of accrued rights to such pensions,
 - (b) the discharge of any liability to provide pensions under a relevant scheme, or
 - (c) the payment of a lump sum instead of a pension payable under a relevant scheme,

except in prescribed circumstances or on prescribed conditions.

(2) In this section “relevant scheme” means a scheme that was a salary related contracted-out scheme by virtue of section 5(2B) and references to pensions and accrued rights under the scheme are to such pensions and rights so far as attributable to an earner's service on or after the principal appointed day (including, in a case where there has been a transfer payment, any pensions or rights deriving (directly or indirectly) from—

- (a) an earner's service on or after the principal appointed day in employment that was contracted-out employment by reference to another scheme, or
- (b) in a case where the transfer payment was made before the first abolition date, protected rights under another occupational pension scheme or under a personal pension scheme which derive from

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payments or contributions in respect of employment on or after the principal appointed day).

(3) Regulations under subsection (1) may provide that any provision of this Part shall have effect subject to such modifications as may be specified in the regulations.”.

Commencement Information

- I1** [Sch. 13 para. 25](#) in operation at 14.9.2015 for specified purposes by [S.R. 2015/329](#), [art. 2\(1\)\(b\)](#)
- I2** [Sch. 13 para. 25](#) in operation at 6.4.2016 so far as not brought into operation earlier by an order, see [s. 53\(1\)\(3\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order